Sheet No. ....5...

## Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY

The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. US 10/328826 by virtue of the following:

an assignment from:

RICHELLE Myriam, Eden-Roc 4, Claies-aux-Moines, CH-1073 SAVIGNY, Switzerland \*01.01.1996

OFFORD-CAVIN Elizabeth, Chemin du Rategniau, Haut de Perche B, CH-1041 POLIEZ-PITTET, Switzerland \*01.01.1993

BORTLIK Karlheinz, Chemin de la Cure 36, CH-1510 SYENS, Switzerland \*01.07.1995

BUREAU-FRANZ Isabelle, Rue de la Gare 21, CH-1110 MORGES, Switzerland \*01.08.2000

WILLIAMSON Gary, Route de Servion, CH-1083 MEZIERES, Switzerland \* 01.02.2002

NIELSEN Inge Lise, Route des Colondalles 58, CH-1820 MONTREUX, Switzerland \*01.02.2003

STEILING Heike, Avenue du Grammont 4, CH-1007 LAUSANNE, Switzerland \*01.07.2003

MOODYCLIFFE Angus, Avenue des Roses 4, CH-1009 PULLY, Switzerland \*01.04.2000

to NESTEC S.A., dated \*

This declaration is made for the purposes of all designations, except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".